

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-20490 - APPLICANT/OWNER: MAR, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and landscape plan, date stamped 03/13/07, except as amended by conditions herein.
3. The Waiver from providing the required streetscape treatment along Hoover Avenue is hereby approved, due to the constricted width of the public right-of-way. The streetscape treatment along Hoover Avenue shall be required at such time as the street is reconfigured to allow a full-width sidewalk and amenity zone in accordance with the Downtown Centennial Plan.
4. The existing construction fence must be brought into conformance with the Construction Standards outlined in Subsection VII.C.8 of the Downtown Centennial Plan.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: a minimum of 20 five-gallon shrubs must be shown within the western and southern perimeter buffer areas and the height of the two streetscape trees within the right-of-way at the western entry must be noted and meet or exceed the 25-foot minimum height requirement.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

7. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.
8. Utilities and power service lines in alleys shall be located underground in accordance with the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as depicted in Graphic 8 of the Downtown Centennial Plan.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Submit an application for a deviation from Standard Drawing #222a to the Land Development section of the Department of Public Works for the driveway accessing this site from South Sixth Street. The proposed security gates shall remain fully open during business hours; the installation of swing gates or rolling gates is acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site, except as amended by conditions herein.
12. Landscape and maintain all unimproved rights-of-way, if any, on 6th Street and Hoover Avenue adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. Submit an Encroachment Agreement for all landscaping, if any, located in the 6th Street and Hoover Avenue public right-of-way adjacent to this site prior to occupancy of this site.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review to allow a proposed 29 space parking lot on 0.26 acres at 829 South Sixth Street. The applicant requests a waiver of the Downtown Centennial Plan streetscape requirements in order to permit the development of the proposed surface parking lot.

The applicant states that the design of the parking lot conforms as closely as possible to the requirements of the Downtown Centennial Plan and Title 19. Due to the consistence of this plan with the previously approved site development plan review (SDR-4740) that expired for this site, approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/28/61	The Board of Zoning Adjustment approved a Special Use Permit (U-0025-61) in order to permit the construction of a professional office building on the subject site.
01/09/79	A Variance (V-0110-78) application was Withdrawn Without Prejudice by the applicant prior to consideration by the Board of Zoning Adjustment. The Variance would have allowed a wall sign in excess of size limitations.
10/15/86	The City Council approved a Reclassification of Property (Z-0072-86) from R-4 (Apartment Residence) and C-1 (Limited Commercial) to C-1 (Limited Commercial) for the properties at 823 and 829 South Sixth Street in order to permit an addition to an existing office building.
07/24/03	A Rezoning (ZON-2581) application was Withdrawn Without Prejudice prior to consideration by the Planning Commission. The request would have allowed the property to be Rezoned from C-1 (Limited Commercial) to R-5 (Apartment) in order to permit the development of a Halfway House (Criminal). A companion Site Development Plan Review (SDR-2583) application and Special Use Permit (SUP-2584) application were also withdrawn at that time.
08/26/04	The Planning Commission approved a request for a Site Development Plan Review (SDR-4740) to allow a parking lot on this site with waivers of various Downtown Centennial Plan standards. Staff had recommended approval.
08/26/06	The approval of a Site Development Plan Review (SDR-4740) to allow a parking lot on this site with waivers of various Downtown Centennial Plan standards expired.
04/26/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #86/rts).

<i>Related Building Permits/Business Licenses</i>	
06/08/87	A business license for an M01 (Maintenance Services – Janitorial: janitorial, cleaning, or maintenance services. Includes carpet cleaning and swimming pool/spa maintenance, but does not include contracting, lawn and landscape maintenance, construction cleanup, or tree trimming) category license was processed in by the Department of Finance and Business Services. This license (M01-01869) was issued by Business Services on 05/18/88 with no apparent Planning and Development review. This license is still active as of 04/04/07.
04/15/04	A building permit application, plan check L-1705-04, was submitted for the site. This was for a demolition permit for the building located at 829 South 6 th Street. This permit (04018605) was reviewed and approved by the Planning and Development Department and issued by the Building and Safety Department on 07/28/04.
<i>Pre-Application Meeting</i>	
02/21/07	A pre-application meeting was held and elements of this application were discussed. It was noted that this parking lot had previously been approved and that there would need to be waiver requests as in the previous case. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Field Check</i>	
03/22/07	The Department of Planning and Development conducted a site visit that found that there was a temporary chain link fence around the majority of the site that does not meet the Construction Standards of the Downtown Centennial Plan, that there was equipment and material being stored on-site that was not actively in use without proper screening and that vehicles were using the eastern portion of the site for illegal parking on the unimproved dirt.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)

South	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
East	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
West	Undeveloped	MXU (Mixed-Use)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		N*
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		N*
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

* If approved, the waiver requested as a part of this review will grant relief from the City standards for streetscape requirements within the Downtown Centennial Plan.

DEVELOPMENT STANDARDS

Pursuant to the Downtown Centennial Plan, the following landscape and buffer standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces (located in islands and/or at the perimeter)	5 Trees	12 Trees	Y
Min. Square Footage	10 SF/Parking Space	290 SF	1,952 SF	Y
Buffer (when req'd): Min. Trees	1 Tree/20 Linear Feet	12 Trees	12 Trees	Y
TOTAL	12 Trees		12 Trees	Y
Min. Zone Width	n/a		8 Feet @ ROW 5 Feet @ Interior	n/a
Wall Height	3.5 Feet (Per Graphic 9, Downtown Centennial Plan)		3.5 Feet	Y

Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:

Streetscape Standards	Required	Provided	Compliance
East/West Street (Hoover Avenue)	1 Shade Tree @ 15 to 20' o.c. max. (36" box)	Zero Trees	N *
North/South Street (Sixth Street)	1 Shade Tree @ 35' o.c. max. (min. 25' height)	1 Shade Tree @ <35' o.c. (2 Trees)	Y
Right-of Way Improvements:	Sidewalk and Amenity Zones (Per Graphics 11 & 12, Downtown Centennial Plan)	Not indicated on the plans	N **

* If approved, the waiver requested as a part of this review will allow for the streetscape requirements for Hoover Avenue to be delayed until the street is reconfigured at some point in the future. A condition of approval has been added to this affect.

** No streetscape treatments are shown on the plans. A condition of approval has been added that the alley treatment standards be adhered to.

Waivers		
Request	Requirement	Staff Recommendation
To not adhere to the streetscape standards along Hoover Avenue or 6 th Street.	Street Trees, Sidewalk and Amenity Zones (Per Graphics 9, 11, & 12, Downtown Centennial Plan)	Approval - for the Hoover Avenue improvements until the right-of-way is reconfigured and able to accommodate the requirements.

ANALYSIS

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as C (Commercial) on the Redevelopment Plan Area Map of the General Plan. This category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories. The proposed use is in conformance with the land use designation.

The project was previously approved under a site development plan review (SDR-4740) which expired in August of 2006. The building that was on this site at the time the 2004 case was approved has since been demolished. The proposed parking lot will provide additional parking for the office building on the abutting parcel to the north, and for a new multi-story office building under construction at 823 South Las Vegas Boulevard (SDR-4372). A parking lot is a permitted use in the C-1 zoning district. Due to this being a surface parking lot there are no Residential Adjacency or Parking Standards that apply. The two office buildings that the parking lot is intended to serve have on-site parking that meets those locations requirements.

As previously noted, the subject site is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed use is in conformance with the Redevelopment Plan. Further, the site is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Downtown South District. The district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment. While it is intended that parking is to be located within parking structures or at the interior of a site, surface lots are allowed if properly screened from adjacent rights-of-way.

- **Site Plan**

The site plan depicts a driveway entrance located on South Sixth Street, with an exit located on the public alley at the rear of the property. The proposed circulation plan should not impact adjacent properties, and the surrounding street network has sufficient capacity to accommodate the use. The site plan notes that the proposed gates at the entrance and exit will remain open during the hours of business as required by Public Works. A screen fence in conformance with the Downtown Centennial Plan requirements will be provided on three sides of the property as required.

- **Waivers**

The applicant has requested a waiver from the Downtown Centennial Plan streetscape requirements. Staff would recommend approval of the waiver from providing the required streetscape along Hoover Avenue, as the configuration of the right-of-way does not permit a full 11-foot wide sidewalk and five-foot amenity zone as required by the plan. In addition, it is recommended that the applicant be exempt from providing the contrasting sidewalk treatment at the intersection until such time as Hoover Avenue is reconfigured. A condition has been added to approve the waiver of the Hoover Avenue portion of this site from the Downtown Centennial Plan streetscape standards until such time as the right-of-way is reconfigured and can accommodate the improvements. Further, a condition has been added that the alleyway must meet the alleyway treatment as depicted in Graphic 8 of the Downtown Centennial Plan.

- **Landscape Plan**

There are no specific landscape perimeter buffer requirements under the Downtown South portion of the Downtown Overlay district. The landscape plan indicates that there will be an eight-foot wide buffer along the public right-of-way and a five-foot wide buffer at the interior property line. According to Subsection VII.C.3 the required landscaping for a surface parking lot may be done either as islands or along the perimeter. For this site all landscaping is along the perimeter and exceeds the 10 square-feet per parking space and one tree per six parking spaces that are required. The plan shows that the site will meet the maximum tree spacing restriction that is a part of this district's landscaping standards.

There has been a condition added that when the required technical landscape plan is submitted for planning review, that the plan must reflect a minimum of 20 five-gallon shrubs either as a substitute or an addition to the depicted one-gallon shrubs indicated on the conceptual plan for the western and southern perimeter buffer areas. The added condition also requires that the heights for the streetscape trees in the South 6th Street right-of-way be noted and that they must meet or exceed the 25-foot minimum set by the Downtown Centennial Plan.

The proposed parking lot is substantially the same as the one that was approved for this site in 2004. As auxiliary parking for two area office buildings, the site meets the standards, with the streetscape standards waiver, for surface parking lots within the Downtown South portion Downtown Overlay district. For these reasons staff is recommending approval of this application.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The parking lot is a conforming use, and will provide overflow parking for two office buildings in the immediate area. The parking lot is generally consistent with development in the area.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The parking lot is consistent with the General Plan, but does not meet the requirements of the Downtown Centennial Plan for streetscape standards. Staff is in support of the waiver that has been requested for the Hoover Avenue streetscape as conditioned.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The circulation plan for the parking lot will not impact the flow of traffic on adjacent streets or impact adjacent properties.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed landscape materials are appropriate for the City, and the proposed screen fence will conform to the Downtown Centennial Plan requirements.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

There are no structures proposed as a part of this application request.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Inspections will be performed to ascertain that all improvements will be constructed in accordance with Code requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 293 by Planning Department

APPROVALS 0

PROTESTS 0